

**MINUTES FOR THE JANUARY 28, 2025  
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

The Board of Directors of the South San Joaquin Irrigation District (SSJID) met in person in regular session in the District Boardroom at 9:00 a.m., with public access provided via the online Zoom meeting platform. Vice-President Weststeyn called the meeting to order. Director Holbrook led the flag salute. Upon roll call the following members were noted present:

DIRECTORS:           HOLBROOK ROOS VAN RYN WESTSTEYN  
ABSENT:               SPYKSMA

Also present were General Manager Peter Rietkerk, General Counsel Mia Brown, and Clerk of the Board Danielle Barney.

**Public Comment** – None

**CONSENT CALENDAR**

- A. Approval of Checks in the amount of \$169,804.57; Accounts Payable Wires in the amount of \$1,299,934.21; and Payroll dated January 10, 2025 in the amount of \$29,487.94.
- B. Approval of the Regular Board Meeting Minutes of January 14, 2025
- C. Accept and File Notice of Completion for the Solar Farm Repowering Project – PV1 Task Order 2

**MOTION:** A motion was made by Director Roos and seconded by Director Van Ryn to approve the Consent Calendar as submitted.

The motion passed 4 to 0 by the following vote:

AYES:               HOLBROOK ROOS VAN RYN WESTSTEYN  
NOES:               NONE  
ABSTAIN:           NONE  
ABSENT:            SPYKSMA

**COMMUNICATIONS**

**Item #1 – Directors’ Reports**

Director Holbrook addressed SSJID Finance and Administration Manager Sonya Williams and asked if the SSJID Employee W-2s for 2024 would be sent electronically or via United States Postal Service (USPS), to which Ms. Williams responded that the W-2s would be mailed via USPS.

Director Weststeyn addressed SSJID Engineering Department Manager Forrest Killingsworth, and referenced the Engineering Manager’s Report dated January 28, 2025, page 3, Woodward Spillway, Bullet 1, regarding a District letter submitted to the California Division of Safety of Dams (DSOD) recommending design criteria for the proposed Woodward Reservoir Spillway. A copy of the District letter was noted as an attachment but was not included in the Manager’s Report. Mr. Peter Rietkerk, SSJID General Manager, responded that Mr. Killingsworth was out of the office and that he would follow up and forward the supporting documentation to the Board.

**Item #2 – Various Reports**

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*The Managers' Reports were provided in electronic form to the Board on January 24, 2025.*

Mr. Rietkerk noted the recent dry winter weather experienced in the San Joaquin region, which was reported as 53-percent (53%) of average to date by the California Department of Water Resources. Staff is currently reviewing the District's Conservation Account for effects if utilized in the 2025 crop year.

Mr. Rietkerk reported that Canyon Tunnel Project (Project) work is accelerating in an attempt to commence Project construction in 2025. Activities include Canyon Tunnel public meetings, contract document review, risk analysis, landowner negotiations, and development of a capital funding strategy. An SSJID Finance Committee meeting will be scheduled, including a presentation by PFM Financial Advisors, to discuss the District's funding options, federal and state low interest loan programs, funding conditions, and alternative borrowing analyses. The Board requested a financing status update following the scheduled Finance Committee meeting, to which Mr. Rietkerk concurred.

Mr. Rietkerk announced that the Manteca Rotary will be hosting its annual Super Bowl Omelet-Pancake Breakfast on Sunday, February 9, from 7:30 to 11:30 am., at the MRPS Hall, 133 N. Grant Street in Manteca. All funds raised for the event go towards local student scholarships, and community efforts. Interested parties should contact Mr. Rietkerk for tickets.

**ACTION CALENDAR**

**Item #3 – Consider Appeal of Denial of Encroachment Permit for David Van Elderen, APN 257-290-24**

Mr. Chad Parsons, SSJID Associate Civil Engineer, addressed the Board regarding the Appeal of Denial of Encroachment Permit for David Van Elderen (Landowner), and stated that Mr. Van Elderen was in attendance at the meeting.

Mr. Parsons provided background of the District implementing the Division 9 Pressurization Project in 2011, which required the removal of a row of the Landowner's almond trees planted within the District's thirty-foot (30') wide easement in order to install the pressurized pipeline, which runs parallel in the easement to an existing concrete "Vh" pipeline.

Additional historical correspondence and/or action included: 1) The Board conditionally approved an Encroachment Permit, on January 12, 2012, contingent upon a meeting between the Landowner and District staff to finalize the number and exact placement of trees to plant within the easement; 2) One (1) month later, staff identified a freshly planted row of trees within the District easement; 3) District sent a letter to Landowner, dated February 16, 2012, requiring the removal of the unauthorized row of trees as it did not comply with the Board's conditional approval; 4) The matter was reconsidered by the Board with consensus to have staff and a Board Member meet with the Landowner regarding conditions of the Encroachment Agreement; and 5) An Encroachment Agreement was executed on April 26, 2013 which included a row of trees to be allowed with the easement including trees on top of the Lateral Vh Pipeline.

In November 2024, the Landowner notified staff of his intent to replant the row of trees within the District easement and inquired whether this could be done under the 2012 Encroachment Agreement. Staff responded that the 2012 Encroachment Agreement did not allow replanting, and current District standards prohibit planting within fifteen (15) feet of the centerline of a District pipeline. The Landowner submitted an Encroachment Permit Application on November 25, 2024, the application was reviewed by staff and denied, a denial letter was sent to Mr. Van Elderen on December 19, 2024, and staff received an appeal letter from Mr. Van Elderen on January 21, 2025.

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Mr. Parsons explained, in detail, the District facilities affected, and the location of the encroachments. He further explained that SSJID crews inspected the concrete pipeline on January 27, 2025, and identified tree roots from the almond trees penetrating the District's concrete pipeline. Mr. Parsons provided Mr. Van Elderen with photos of the damaged pipeline, and noted that if the trees are removed per the Landowner's request to replant, the roots could cause further damage to the District pipeline. Removal of the trees above the Pressurized Line will require an on-site inspector, and a Temporary Construction Permit submitted by the Landowner.

Mr. Van Elderen addressed the Board and stated that he was unaware of the requirement for a new Encroachment Agreement. He expressed discontent with the District's placement of the Pressurized Line; and noted his intent to replant a different variety of trees; that the farmers take care of land within District easements; and that the District should be more flexible with easement and encroachment requirements. Mr. Van Elderen stated that the tree roots identified would not damage the District pipeline.

Board discussion included the Division 9 Pressurized System's benefits and safe operations; planting options; and the exact location of the first row of trees above the Pressurized Line. Director Holbrook addressed Mr. Van Elderen, and stated that he was the presiding Board President when the Encroachment Agreement was granted in 2013. He noted the Board's conditional approval of the Encroachment Agreement which included allowing the encroachment of current structures (e.g. well, liquid storage tank, etc); directed the removal of specific trees to install the District's Pressurized System; allowed the remaining encroached trees to stay until maturity; and prohibited the planting of new trees within the District's easement.

Ms. Mia Brown, SSJID General Counsel, stated that Board discussion on the topic will continue in Closed Session and a decision rendered upon return to Open Session. The Landowner will be notified once a decision has been reached.

**Item #4 – Consider Adoption of Resolution 25-03-B Setting Pressurized Irrigation Service Charge**

Ms. Sarah Bloom, SSJID Assistant Finance and Administration Manager, addressed the Board and provided a brief background of the required Proposition (Prop) 218 process to change the District's service charges, and explained the inflationary indexes established at the January 12, 2021 public hearing at a five (5) year rate increase. She further explained that the proposed 2025 rate increase constitutes the fifth year of the 2021 inflationary index, and that staff will begin undertaking the Prop 218 process, by summer, to propose a new five (5) year rate increase through 2030.

Ms. Bloom explained the three (3) options available regarding an increase in the pressurization charges including:

1. Take no action against the inflationary index and allow the index to automatically adjust the Pressurization Charge by \$3.63 in accordance with the rate design adopted at the January 12, 2021 Public Hearing.

Since the inflationary index is \$3.63, the charge would increase to \$58.12 per acre foot (AF) for the 2025 Irrigation Season. The electricity cost recapture would increase by \$3.27 and the provision for capital assets would increase by \$0.36.

2. Take action to nullify both inflationary indexes and keep the existing charge from prior year of \$54.49 which includes \$40.04 electricity cost recapture, and \$14.45 provision for capital assets.
3. Take action to nullify one inflationary index, generating a rate of either \$54.85 or \$57.76.

Board discussion noted the inclusion of the Consumer Price Index (CPI) rates in calculating the District's

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inflationary index to cover inflation costs, the importance of obtaining landowner input in the Prop 218 process, and that the District's landowners opted to spread the 2021-2025 rate increases over five (5) years as opposed to one (1) large increase every five years, in the last Prop 218 process in 2020.

**MOTION:** A motion was made by Director Holbrook and seconded by Director Roos to take no action against the inflationary index; and to adopt Resolution 25-03-B Setting Pressurized Irrigation Service Charge.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT  
RESOLUTION 25-03-B**

**SET PRESSURIZED IRRIGATION SERVICE CHARGE**

**WHEREAS**, Irrigation District law provides authority for the South San Joaquin Irrigation District, ("District") in lieu, in whole or in part, of levying assessments, to fix and collect charges for any service furnished by the District and to prescribe reasonable rules with respect to said charges; and

**WHEREAS**, the District operates a pressurized irrigation system that provides pressurized irrigation service to a portion of its customers (Division 9 Irrigation System Improvement Project), comprising 112 parcels of land which total approximately 2,953 acres; and

**WHEREAS**, the District currently charges a pressurized irrigation service charge ("Pressurization Charge") of \$54.49 per acre-foot; and

**WHEREAS**, revenues from the Pressurization Charge have never recovered the District's costs to provide pressurized irrigation service; and

**WHEREAS**, at its November 17, 2020 meeting, the Board of Directors approved the initiation of the legal process pursuant to Proposition 218 and Government Code section 53755 to increase the Pressurization Charge as follows:

- 1) Setting the proposed Pressurization Charge of \$50 per acre-foot, consisting of (a) \$38 per acre-foot for recovery of electricity expense ("Electricity Cost Recapture"), and (b) \$12 per acre-foot for the improvement or replacement of capital assets ("Provision for Capital Assets"); and
- 2) Allowing the Electricity Cost Recapture and Provision for Capital Assets components of the rate to be adjusted by the Board of Directors for inflation or deflation on an annual basis in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of 2022, 2023, 2024 and 2025. The annual inflation or deflation index applicable to the Electricity Cost Recapture would be the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding calendar year. The annual inflation or deflation index applicable to the Provision for Capital Assets would be the change in the California Consumer Price Index during the preceding calendar year; and
- 3) Scheduling a public hearing for the Board meeting scheduled for Tuesday, January 12, 2021 to consider public protests and comments on the proposed Pressurization Charge and inflation adjustments; and

**WHEREAS**, the District has identified the owners of 112 separate parcels of real property within the District's boundaries that would be subject to the proposed increase in the Pressurization Charge, including the inflation adjustments; and

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**WHEREAS**, as directed by the Board of Directors, and in accordance with the provisions of Proposition 218, a Notice of Public Hearing (“Notices”) was mailed to each identified property owner subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address was different than the billing address; and

**WHEREAS**, the Notices were mailed on November 25, 2020, at least 45 days before the scheduled public hearing; and

**WHEREAS**, the Notices included the date, time, and location of the public hearing, instructions on how to protest, a map of the impacted service area, and a cost of service analysis; and

**WHEREAS**, the Notices described the increase in the Pressurization Charge including the inflation adjustments proposed for adoption after the January 12, 2021 public hearing, the basis upon which the proposed increase in the Pressurization Charge including the inflation adjustments was calculated, and the reason for the increase in the Pressurization Charge including the inflation adjustments; and

**WHEREAS**, the basis for the Pressurization Charge is to recover a portion of the cost to operate and maintain the pressurized water system and the basis for the increase to the Pressurization Charge is that revenues from the current fee do not recover the costs of operating the pressurized water system including the future replacement and improvement of the pressurized water system's capital assets; and

**WHEREAS**, on January 12, 2021, the District held a duly noticed public hearing on the proposed increase in the Pressurization Charge including the inflation adjustments; and

**WHEREAS**, the Board of Directors has considered all protests against adoption of the proposed increase in the Pressurization Charge including the inflation adjustments; and

**WHEREAS**, the Board found that zero (0) written protests from the owners of zero (0) parcels of property had been delivered to the District as required by the Notice, which was less than a majority of the owners of the 112 parcels of property subject to the Pressurization Charge.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, that the Board of Directors of the SOUTH SAN JOAQUIN IRRIGATION DISTRICT hereby takes the following actions:

- 1) Makes the findings set forth above, each of which is found to be true.
- 2) Increases the Pressurization Charge effective in 2025 to a rate of \$58.12 per acre-foot consisting of (a) \$43.31 per acre-foot Electricity Cost Recapture, and (b) \$14.81 per acre-foot Provision for Capital Assets. The Electricity Cost Recapture and Provision for Capital Assets components of the rate may be adjusted by the Board of Directors for inflation or deflation on an annual basis in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of 2022, 2023, 2024 and 2025. The annual inflation or deflation index applicable to the Electricity Cost Recapture is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding calendar year. The annual inflation or deflation index applicable to the Provision for Capital Assets is the change in the California Consumer Price Index as published by the California Division of Industrial Relations for the preceding calendar year.
- 3) Further finds as follows:

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- a. Revenues derived from the Pressurization Charge will not exceed the cost to provide pressurized irrigation service.
  - b. Revenues derived from the Pressurization Charge will not be used for any purpose other than meeting the costs of providing pressurized irrigation service.
  - c. The amount of the Pressurization Charge, including the inflation adjustments, imposed upon any parcel or person as an incident of property ownership, will not exceed the proportional cost of pressurized irrigation service attributable to the parcel.
  - d. The Pressurization Charge will not be imposed for irrigation service unless that service is actually used by the particular parcel.
  - e. Determines that this action is exempt from California Environmental Quality Act (“CEQA”) pursuant to Section 15273 of the CEQA Guidelines, which exempts the establishment, modification, restructuring, or approval of rates, tolls, fares, or other charges by public agencies for the purpose of meeting operating expenses and obtaining funds for capital projects necessary to maintain service within existing service areas.
- 4) This Resolution shall take effect immediately upon its adoption on January 28, 2025.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of January, 2025 by the following vote:

AYES:	HOLBROOK ROOS VAN RYN WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	SPYKSMA

**Item #5 – Consider Adoption of Resolution 25-04-B Certifying 2025 Charges for Services Furnished by the SSJID**

Ms. Bloom addressed the Board and clarified that adoption of Resolution 25-04-B is a formality to certify all charges for irrigation services for use in 2025, related to the Pressurization Charges, as set forth in Resolution 25-03-B.

**MOTION:** A motion was made by Director Holbrook and seconded by Director Van Ryn to adopt Resolution 25-04-B Certifying 2025 Charges for Services Furnished by the South San Joaquin Irrigation District.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT  
RESOLUTION 25-04-B**

**CERTIFYING 2025 RATES AND CHARGES FOR SERVICES  
FURNISHED BY THE SOUTH SAN JOAQUIN IRRIGATION DISTRICT**

**WHEREAS**, the Irrigation District Law provides authority for the South San Joaquin Irrigation District, (“District”) in lieu, in whole or in part, of levying assessments, to fix and collect charges for any service furnished by the District and to prescribe reasonable rules with respect to said charges; and

**WHEREAS**, the District currently charges a flat rate charge (“Flat Rate Charge”) of \$52.00 per acre per year for water service to each parcel in the District on which District-supplied water is available for irrigation, with a minimum charge of \$52.00 per year; and

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**WHEREAS**, the District currently charges a groundwater recharge charge (“Ground Water Recharge Charge”) of \$12.00 per acre per year to each parcel in the District of 10 acres or more which is subject to a recorded Irrigation Service Abandonment Agreement, and on which crops are commercially grown; and

**WHEREAS**, on July 25, 2023, in conformance with the procedural requirements of Proposition 218, the District approved a volumetric charge of \$5.00 per acre-foot (“First Tier Volumetric Charge”), and on September 22, 2015 limited the First Tier Volumetric Charge to the first 48 inches of water used per year, and approved an additional volumetric charge of \$12.50 per acre-foot for water used in excess of 48 inches per year starting in 2024 (“Second Tier Volumetric Charge”); and

**WHEREAS**, the District currently charges a First-Tier Volumetric Charge of \$7.50 per acre-foot and a Second-Tier Volumetric Charge of \$15.00 per acre-foot; and

**WHEREAS**, on January 12, 2021, in conformance with the procedural requirements of Proposition 218, the District approved a pressurized water charge (“Pressurization Charge”) for customers served with pressurized water from the District’s Division 9 Irrigation System Improvement Project set at \$50 per acre-foot consisting of (a) \$38 per acre-foot for recovery of electricity expense (“Electricity Cost Recapture”), subject to an annual inflation or deflation adjustment, and (b) \$12 per acre-foot for the improvement or replacement of capital assets (“Provision for Capital Assets”), also subject to an annual inflation or deflation adjustment. The Pressurization Charge of \$50 was effective for the 2021 season, and may be adjusted by the Board of Directors for inflation or deflation in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of the 2022, 2023, 2024 and 2025 seasons. The annual inflation or deflation index applicable to the Electricity Cost Recapture is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding year. The annual inflation or deflation index applicable to the Provision for Capital Assets is based on the California Consumer Price Index as published by the California Division of Industrial Relations for the preceding calendar year; and

**WHEREAS**, Notice of the changes in the Electricity Cost Recapture and Provision for Capital Assets caused by application of the inflation or deflation indexes shall be given by mail to each customer subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address is different than the billing address; and

**WHEREAS**, the District declares the following with respect to the Flat Rate Charge, Ground Water Recharge Charge, First and Second Tier Volumetric Charges, and Pressurization Charge:

- (1) The revenues derived from the aforementioned charges do not exceed the costs of providing the subject properties with the respective service(s); and
- (2) The revenues derived from the charges will not be used for any purpose other than that for which the charges are imposed; and
- (3) The amount of a charge imposed shall not exceed the proportional cost of the service(s) attributable to the subject property.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, that pursuant to Sections 22280 and 22283 of the Water Code, the Pressurization Service Charge shall increase for the 2025 calendar year and the Flat Rate Charge, First and Second Tier Volumetric Charges and the Groundwater Recharge Charge will continue at their current levels for the 2025 calendar year as follows and subject to the following rules:

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**RULE NO. 1: FLAT RATE CHARGE**

- a) For each separate parcel, as shown on the District records of San Joaquin County Assessor's Parcel Maps, which is not the subject of an Irrigation Service Abandonment Agreement with the District, there shall be a charge for the use of District irrigation water, an annual Flat Rate Charge of \$52.00 per acre.
- b) The minimum amount for the Flat Rate Charge shall be \$52.00. The Flat Rate Charge is due on receipt and payable in two installments.
- c) For parcels billed by the District, the first installment is delinquent if not paid by 4:30 p.m. on December 20, 2024, and the second is delinquent if not paid by 4:30 p.m. on June 20, 2025.
- d) For parcels billed by San Joaquin County, the first installment of such charges will be delinquent if not paid by the customer to the County by December 10, 2024, and the second installment of such charges will be delinquent if not paid by the customer to the County by April 10, 2025.
- e) For parcels billed by the District, water service will be denied to any land having outstanding Flat Rate Charges in excess of ten (10) working days.

**RULE NO. 2: FIRST and SECOND TIER VOLUMETRIC CHARGES**

- a) There shall be a First-Tier Volumetric charge of \$7.50 per acre-foot for the first 48 inches and a Second-Tier Volumetric charge of \$15.00 per acre-foot for water used in excess of 48 inches.
- b) Water service will be denied to parcels having outstanding volumetric charges in excess of \$10.00 for 45 days or longer.

**RULE NO. 3: PRESSURIZATION CHARGE**

- a) The pressurization charge and the annual adjustment feature is described as follows:

On January 23, 2024, the District imposed a Pressurization Charge for customers served with pressurized water from the District's Division 9 Irrigation System Improvement Project set at \$54.49 per acre-foot consisting of (a) \$40.04 per acre-foot for Electricity Cost Recapture, subject to an annual inflation or deflation adjustment, and (b) \$.14.45 per acre-foot for Provision for Capital Assets, also subject to an annual inflation or deflation adjustment. The Pressurization Charge of \$58.12 is effective for the 2025 season and may be adjusted by the Board of Directors for inflation or deflation in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of 2022, 2023, 2024 and 2025. The annual inflation or deflation index applicable to the Electricity Cost Recapture is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding year. The annual inflation or deflation index applicable to the Provision for Capital Assets is the change in the California Consumer Price Index as published by the California Division of Industrial Relations for the preceding calendar year. Notice of the changes in the Electricity Cost Recapture and Provision for Capital Assets caused by application of the inflation or deflation indexes shall be given by mail to each customer subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address is different than the billing address.



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- b) Parcels receiving pressurized water from the District's Division 9 Irrigation System Improvement Project, shall, in addition to the Flat Rate Charge described in Rule No. 1, and the First and Second Tier Volumetric Charges described in Rule No. 2, pay a Pressurized Charge of \$58.12 per acre-foot during 2025.
- c) Parcels receiving pressurized water from the District's Division 9 Irrigation System Improvement Project will be billed each month of the irrigation season both for delivery of District-supplied water under Rule No. 2 and for pressurization of such water under this Rule No. 3.
- d) Water service will be denied to parcels having outstanding Pressurization Charges in excess of ten (10) working days.

**RULE NO. 4: GROUNDWATER RECHARGE CHARGE**

- a) For those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which are used to grow commercial crops and which are the subject of an approved District Irrigation Service Abandonment Agreement, there shall continue to be an annual Ground Water Recharge Charge of \$12.00 per acre for the benefits derived from groundwater recharge.
- b) The Groundwater Recharge Charge is due on receipt and payable in two installments.
- c) For parcels billed by the District, the first installment is delinquent if not paid by 4:30 p.m. on December 20, 2024, and the second is delinquent if not paid by 4:30 p.m. on June 20, 2025.
- d) For parcels billed by San Joaquin County, the first installment of such charges will be delinquent if not paid by the customer to the County by December 10, 2024, and the second installment of such charges will be delinquent if not paid by the customer to the County by April 10, 2025.

**RULE NO. 5: SERVICE ABANDONMENT**

- a) Those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which do not utilize District water service may be exempted from the District Flat Rate Charge provided the owners of such lands enter into an "Irrigation Service Abandonment Agreement" with the District, and
- b) Provided further, there are no outstanding amounts owed to District for water service on such lands.
- c) Such parcels may also be exempted from the Ground Water Recharge Charge, provided such parcels are less than 10 acres or are not used to grow commercial crops.

**RULE NO. 6: COLLECTION**

- a) The Board authorizes the charges to be billed and collected by the District and to deny water service to parcels having outstanding charges that exceed the thresholds established in the Rules above.
- b) The Board authorizes the charges resulting from the Flat Rate Charge and Groundwater Recharge Charge to be transmitted to the County Auditor-Controller and continue to be enrolled on the tax roll of the County of San Joaquin for collection at the same time, in the same manner, and subject to the same penalties for delinquency as county taxes.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of January 2025 by the following vote:

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AYES:           HOLBROOK ROOS VAN RYN WESTSTEYN  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        SPYKSMA

**Item #6 – Quarterly Presentation of Financial Reports through December 31, 2024**

Ms. Williams addressed the Board and gave an oral presentation of the quarterly Financial Statements through December 31, 2024. She stated that the financial statements are preliminary, are un-audited, and are lacking certain year-end accounting adjustments made on an annual basis after the year has ended.

She provided detailed explanations of the balance sheets; net positions; total assets; liabilities; revenues, expenses and changes in net position; non-operating revenues; irrigation revenues and expenses; cash flows; reserve allocations and balances; and actual versus year-to-date budget comparisons; and breakdown of cash investments by category.

**Item #7 – Quarterly Presentation of Investment Report for December 2024**

Ms. Williams addressed the Board and gave an oral presentation of the quarterly Investment Report through December 2024. She provided detailed explanations of the components of cash and investments, interest income year-to-date and monthly, amounts invested by yield to maturity, investment holdings, treasury yield curve, investment activity, maturities schedule, employment rates, and rates of inflation at Consumer Price Index 2.9%.

Board discussion included financial planning for the Canyon Tunnel Project, and the necessity of a financial structure to not utilize and deplete District funds for the large-scale project.

*It was announced that all remaining items on the Closed Session agenda would be discussed. The Board took a brief recess at 10:10 a.m. and convened to Closed Session at 10:25 a.m.*

**Item #8 – CLOSED SESSION**

*Director Roos recused himself from Closed Session, and exited the boardroom, at 11:29 a.m., upon discussion of the appeal of denial of Encroachment Permit for David Van Elderen, due to his association with a business owned in-part by Mr. Van Elderen.*

*Director Roos re-entered the boardroom into Closed Session at 12:00 p.m.*

**RETURN TO OPEN SESSION**

*The Board returned to Open Session at 1:46 p.m.*

*Director Roos recused himself and exited the boardroom, at 1:46 p.m., so the Board could take action in Open Session on Item #3 – Consider Appeal of Denial of Encroachment Permit for David Van Elderen, APN 257-290-24.*

**Item #9 – ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1: There were no reportable actions taken in Closed Session.

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**Item #3 – Consider Appeal of Denial of Encroachment Permit for David Van Elderen, APN 257-290-24**

**MOTION:** A motion was made by Director Holbrook and seconded by Director Van Ryn to follow staff's recommendation in denying the Encroachment Permit, and direct Landowner to remove trees within five (5) feet of pipeline by cutting to ground level. Trees between five (5) to fifteen (15) feet of existing pipeline are allowed to stay, and Landowner may graft new scion wood to the existing trees, if desired. No new planting of trees within the easement is permitted.

The motion passed 3 to 0 by the following vote:

AYES:	HOLBROOK VAN RYN WESTSTEYN
NOES:	NONE
ABSTAIN:	ROOS
ABSENT:	SPYKSMA

**Item #10 – Brown Act Review**

**Item #11 – ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 1:49 p.m.

**ATTEST:**

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Danielle Barney, Clerk of the Board